



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: May 3, 2017

RE: February, March, and April 2017 Enforcement Program Report

Attached is the Enforcement Program Report for the months of February, March, and April 2017, describing the activities of the enforcement division and management of alleged violations within the Park.

1. This table depicts the number of open cases at the beginning of the reporting period, how many cases were opened or closed during the period, and the number of open cases at the end of the reporting period.

Open Cases	2017 April	2017 March	2017 February	2016	2015
At Beginning of Period	152	151	140	152	138
Cases Opened	16	12	17	208	213
Cases Closed	7	11	6	219	199
At End of Period	161	152	151	141	152

2. This table provides a detailed description of enforcement program activity during the reporting period.

	April 2017	March 2017	February 2017	Total 2017	2016 Total
New Cases Opened	16	12	17	52	208
Site Visits	7	3	5	26	180
Settlement Agreements Sent*	3	10	5	24	97
Settlement Agreements Signed	1	7	1	11	58
Notice of Violation or Hearing Sent	0	0	0	1	0
Cases Referred to AG	0	0	0	0	0
Cases Referred to the EC	0	0	0	0	0
Cases Closed: Compliance w/o SA	1	0	0	5	41
Cases Closed No Violation	5	4	4	15	103

* 21 Currently Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

Type of Violation	April 2017	March 2017	Feb. 2017	2017 Total	2016 Total	Outcome of Closed 2016* Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	2			2	5	V-0 NV-0
Subdivision due to number of lots			1	4	9	V-1 NV-4
Subdivision in Resource Management		1	2	4	16	V-9 NV-5
Wetland Subdivision			4	5	14	V-4 NV-0
Wetland Disturbance	2	4	1	8	41	V-6 NV-22
Rivers Project			1	1	4	V-5 NV-0
Permit Violation	1	1	3	3	29	V-7 NV-13
SFD in CEA			1	1	0	V-0 NV-0
Hunting/Fishing cabin >500 sq ft				0	0	V-0 NV-0
Structure >40' height					4	V-0 NV-4
Clearcut >25 Acres		1	1	2	3	V-0 NV-1
Commercial Use	1	1	1	4	9	V-0 NV-4
Junkyards	5			5	4	V-1 NV-1
Campgrounds		1		1	3	V-3 NV-0
Mobile Home Court				0	0	V-0 NV-0
Shoreline Setback	1		2	3	26	V- NV-

Shoreline Cutting					15	V-1 NV-5
Waste Disposal Area					4	V-0 NV-2
Septic Setback					1	V-0 NV-0
Sand and Gravel Excavation	1	1		2	0	V-0 NV-0
Multiple Family Dwelling	1			1	0	V- NV-
Tourist Accommodation		2		2	2	V-0 NV-2
25% Expansion	1			1	2	V-0 NV-0
New Land Use in CEA			1	1	1	V-0 NV-1
Commercial or Private Airport					1	V-0 NV-1
SFD in RM					6	V-3 NV-1
Marina					1	V-1 NV-0
Lot Width					1	V-0 NV-0
Rivers Area Cutting					1	V-1 NV-0
Watershed Mgmt.	1			1		V-0 NV-0

*Annual calculation of closed cases only, remaining cases under investigation as of 12/31/16

4. **Salesweb Monitoring 2017:**

Month	# Subdivisions In Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	9	0	8
February	16	3	6
March	3	0	3
April	10	0	7
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL			

5. **Monthly Report of Enforcement Cases Settled:**

Nine enforcement cases were resolved by settlement agreements executed in **February, March and April 2017** as follows:

- **E2016-0166, Bond (Lyonsdale, Lewis)**
 Construction of a single family dwelling in a Resource Management Land Use Area in 1990 by a prior owner. Settlement recognizes dwelling as lawful and allows for proposed addition. Settlement requires installation of Agency approved wastewater treatment system upon failure of the existing system, restricts lighting and color of the dwelling, and requires filing in the County Clerk's Office.
- **E2016-0118, Atkinson (Black Brook, Clinton)**
 Subdivision involving wetlands in 2016. Settlement recognizes property as lawful, allocates principal building potential, allows for construction of two single family dwellings pursuant to plans approved by the Agency, and requires filing in the County Clerk's Office.
- **E2016-0127, Alden (Ellenburg Depot, Clinton)**
 Subdivision involving wetlands, more than 5 or more lots in Rural Use, and within a highway critical environmental area in 1984 without a valid

Agency permit. Settlement recognizes property as lawful, allocates principal building potential, allows for construction of a single family dwelling pursuant to plans approved by the Agency, and requires filing in the County Clerk's Office.

- **E2017-0013, North Country Florist (Northampton, Fulton)**
New development within a highway critical environmental area since 2005. Settlement recognizes commercial use structures as lawful, allows for operation of a proposed auto repair sales and repair shop on the property pursuant to Agency approved plans and subject to conditions, and requires filing in the County Clerk's Office.
- **E2015-0016A, Balboa Development (Caroga, Fulton)**
Subdivision involving wetlands in 2014. Settlement recognizes property as lawful, requires Agency review of future subdivision or development on the property, and requires filing in the County Clerk's Office.
- **E2016-0065, Lawless (Schroon, Essex)**
Construction of a retaining wall and patio structure greater than 100 square feet in size within 50 feet of the mean high water mark of Schroon Lake. Settlement recognizes removal of a portion of the structure, requires implementation of Agency-approved planting plan, and payment of a \$250 civil penalty.
- **E2016-0189, Curran and Allen (Fine, St. Lawrence)**
Installation of a mobile home on Resource Management lands and development within a highway critical environmental area in 2004. Settlement recognizes property and structures as lawful, requires future upgrade of the wastewater treatment system associated with the mobile home, restricts lighting, allows for a proposed adjustment of lot lines subject to conditions, and requires filing in the County Clerk's Office.
- **E2017-0020, Masem, (Stratford, Fulton)**
Subdivision within the designated East Canada Creek Scenic River Area in 2004. Settlement recognizes property as lawful, allocates principal building potential, requires Agency review of future subdivision or development and requires filing in the County Clerk's Office.
- **E2016-0151, Scholz-Beyer, (Santa Clara, Franklin County)**
Construction of a single family dwelling on a shoreline lot in a Low Intensity land use area with less than 125 feet of shoreline in 1995 and construction of an accessory structure greater than 100 square feet in size within 75 feet of the mean high water mark of Upper Saranac Lake between 1988 and 1996. Settlement recognizes dwelling as lawful, limits expansion, requires future review of the wastewater treatment system,

restricts color and lighting, restricts vegetative cutting, and requires merging with the adjacent shoreline property. Settlement also limits expansion of the accessory structure and shoreline vegetation removal and requires filing in the County Clerk's Office.

Inter-Division Coordination

This table provides a description of coordination activities between enforcement staff and other programs within the Agency.

	April 2017	March 2017	Feb. 2017	2017 Total	2016 Total
Jurisdictional Determinations Issued from Enforcement	15	1	9	29	32
Project Pre- applications Assigned to Enforcement Staff	4	1	1	8	25
Permit Applications Assigned to Enforcement Staff	12	12	5	32	79
Site Visits by Enforcement Staff for Review of Project Applications	7	3	2	14	81
Permits Issued With Enforcement Staff as Assigned Project Review Officer	2	4	7	17	56
Shoreline Photo Inventories	0	0	0	0	12

